

**PATENT**

**Docket No. 10235/10**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Kazuo SHIOZAKI et al.  
SERIAL NO. : (Unassigned)  
FILED : 20 November 2001  
FOR : ENVIRONMENTAL STRESS RESPONSIVE PROMOTER  
GROUP : (Unassigned)  
EXAMINER : (Unassigned)

ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington, DC 20231

**PRELIMINARY AMENDMENT**

S I R:

Prior to examination of the above-identified application, please enter the following amendments.

**In the Claims:**

Please amend the claims as follows:

1. An environmental stress responsive promoter comprising DNA of the following (a), (b) or (c):
  - (a) DNA consisting of any nucleotide sequence selected from SEQ ID NOS: 1 to 8;
  - (b) DNA consisting of a nucleotide sequence comprising a deletion, substitution or addition of one or more nucleotides relative to any nucleotide sequence selected from SEQ ID NOS: 1 to 8, and functioning as an environmental stress responsive promoter; and
  - (c) DNA hybridizing under stringent conditions to DNA consisting of any nucleotide sequence selected from SEQ ID NOS: 1 to 8,

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